

# **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Northern Division)

**GREEN & HEALTHY HOMES  
INITIATIVE, INC., *et al.*,**

Plaintiffs,

v.

**ENVIRONMENTAL PROTECTION  
AGENCY, *et al.*,**

Defendants.

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Case No.: 25-cv-1096 (ABA)

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**SECOND DECLARATION OF JILL T. NISHI**

I, JILL T. NISHI, declare as follows:

1. I am the Chief Executive Officer of Philanthropy Northwest. I submit this Second Declaration to supplement my first Declaration filed in these proceedings with Plaintiffs' Complaint, and in further support of Plaintiffs' Motion for Preliminary Injunction.

2. As a result of EPA's February 22, 2025, termination of our initial Thriving Communities grant and freezing of funds associated with our subsequent grant since March 7, 2025, Philanthropy Northwest's financial health, reputation, and ability to deliver on our organizational mission is increasingly tenuous. The EPA's unlawful and unsubstantiated actions continue to exacerbate multiple dimensions of harm to Philanthropy Northwest as discussed below.

3. **Increased Financial Harm.** As of April 11, 2025, Philanthropy Northwest has absorbed a cumulative total of \$429,068.43 in direct and indirect costs to continue our

administration of the Thriving Communities Grantmaking Program using available cashflow that would otherwise be allocated to the general operations of our organization.

4. Philanthropy Northwest estimates that cashflow is available for three additional weeks (until the week of May 19, 2025) before we need to release six full-time staff dedicated to the program. Note that, since the submission of my first Declaration, one staff person has since resigned in part due to the uncertainty of the program, reducing our current staffing levels from seven to six staff. We estimate we will be burdened with a projected \$856,440 of program-related expenditures by the end of May for which, at present, there is no source of reimbursement. Absorbing these costs will additionally require a downsizing of our core (non-Thriving Communities Program) operations, staffing, and delivery of other enterprise programs and services. Without immediate relief, the financial threat to my organization will require extraordinary actions inclusive of job loss, reduced programming, and significant duress to the organization.

5. **Increased Reputational Risk.** The reputational risk to Philanthropy Northwest with the current status of our funding is increasingly challenging to manage. As we seek to support our applicants and sub-recipients, many are questioning our ability to fulfill grant awards they were intended to receive following a robust application and selection process. We are placed in an increasingly untenable position with sub-recipients and applicants who deserve certainty in a process in which they have invested time and resources, and for which we can provide increasingly fewer assurances of its success. The stress on our front-line program officers is increasingly palpable as individuals who hold meaningful community relationships and for whom their own reputations are at risk.

6. **Increased Threats to Fulfillment of Organizational Mission.** Philanthropy Northwest's mission is in part to "...[move more] resources to historically underinvested communities in the Northwest." Our decision to respond to EPA's Request for Applications ("RFA") to serve as a Thriving Communities regional grant maker was an opportunity to advance our organizational mission and impact those communities who have historically had limited access to federal funding. Under this premise and since our selection as the Region 10 Grantmaker in December 2023, we have invested nearly 17 months in building out the infrastructure (staffing, systems, policies, and procedures) to implement the Thriving Communities Program and deliver meaningfully on our organizational mission and commitment to underinvested communities in the Northwest. EPA's unlawful actions over the last few months have severely compromised and undermined our ability to advance our organizational mission in meaningful and impactful ways for the communities we seek to serve. This includes adverse impact on the activities of these grants, as well as disrupting our ability to carry out other mission supporting activities by creating a tremendous strain on organizational finances and requiring excessive staff time to manage increasing uncertainty, support scenario planning, and financial analysis.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Date: April 23, 2025

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Jill T. Nishi